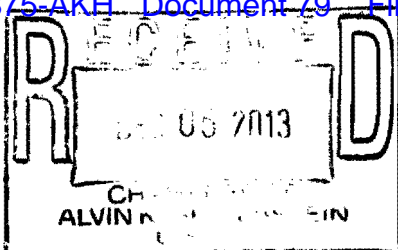


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KAUFMAN BORGEESE &amp; RYAN LLP

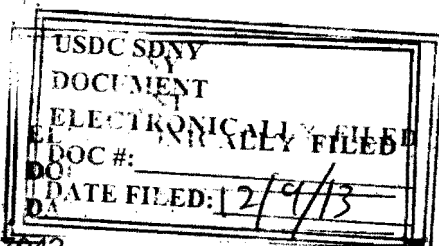


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December 4, 2013


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VIA FACSIMILE: (212) 805-7942

 The Honorable Alvin K. Hellerstein  
 United States District Court for the  
 Southern District Court of New York  
 500 Pearl Street, Room 1050  
 New York, New York 10007

*the conf. adjourned to  
 12/12/13, at 10<sup>00</sup> a.m. All  
 discovery issues can be discussed  
 at the conference. 12-9-13*

 Re: Oxford Health Insurance, Inc. et. al. v. Daniel Hamner, M.D., et. al.  
USDC/SDNY Case No.: 13 CV375 (AKH)

Dear Judge Hellerstein:

My office represents defendants Daniel Hamner, M.D., Daniel Hamner Physician, P.C., Daniel Hamner, M.D., P.C., Richard Hamner, Erika Macbride, Raina Hamner and Rae Baymiller in the above-captioned matter. I am writing regarding two issues.

First, in accordance with Rule 1(C) of your Individual Rules, I am writing to request an adjournment of the December 6, 2013 status conference so that I may continue my settlement discussions with Plaintiffs' counsel, Michael Bernstein. This is my third request to adjourn the conference. The conference was original scheduled for October 4, 2013, then was adjourned to November 1, 2013. All parties consent to this most recent request.

Mr. Bernstein and I have had several productive discussions, including a face-to-face meeting on November 25, 2013, that lasted approximately 1.5 hours. I have voluntarily produced several hundred pages of documents to Mr. Bernstein in an effort to reach a resolution of this lawsuit. At the November 25, 2013 meeting, Mr. Bernstein requested additional information, some of which I have since produced, with the remaining information to be produced shortly. Mr. Bernstein and I plan to have another meeting or discussion after I produce all of the items he has requested. Given the productive nature of the settlement discussions thus far, I ask that the December 6<sup>th</sup> conference be adjourned for another 30 days to allow the parties to continue their settlement discussions.

Second, Dr. Hamner and Ms. Baymiller were parties to a lawsuit in New Mexico. That lawsuit eventually resolved. The details concerning how the case was resolved are confidential. Although I provided Mr. Bernstein with a copy of the complaint, Dr. Hamner and Ms. Baymiller are prohibited from disclosing information about the resolution of the lawsuit without a Court Order. Therefore, I am also writing to request that Your Honor Order Dr. Hamner and Ms. Baymiller to produce information concerning details of the resolution of the New Mexico lawsuit as I believe that information may assist in facilitating a resolution of the present action.

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Oxford Health Insurance, Inc., et. al. v. Daniel Hamner, M.D., et. al.  
USDC/SDNY Case No.: 13 CV 375 (AKH)  
Page 2

Thank you for your consideration.

Respectfully submitted,

KAUFMAN BORGEESE & RYAN LLP



Jonathan B. Bruno

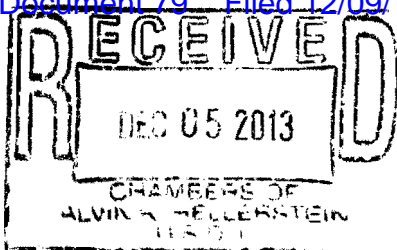
cc: Michael H. Bernstein, Esq. (via e-mail)  
Richard Pu, Esq. (via e-mail)

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December 4, 2013

JONATHAN BRUNO  
DIRECT: 914.449.1023  
JBRUNO@KBR.LAW.COMVIA FACSIMILE: (212) 805-7942The Honorable Alvin K. Hellerstein  
United States District Court for the  
Southern District Court of New York  
500 Pearl Street, Room 1050  
New York, New York 10007Re: Oxford Health Insurance, Inc. et. al. v. Daniel Hamner, M.D., et. al.  
USDC/SDNY Case No.: 13 CV375 (AKH)

Dear Judge Hellerstein:

My office represents defendants Daniel Hamner, M.D., Daniel Hamner Physician, P.C., Daniel Hamner, M.D., P.C., Richard Hamner, Erika Macbride, Raina Hamner and Rae Baymiller in the above-captioned matter. I received the Court's Order adjourning the December 6<sup>th</sup> conference to December 12<sup>th</sup> at 10:00 a.m. I am writing with the consent of the parties to request that the conference start at 9:30 a.m. if possible because I have to be in Berkeley Heights, New Jersey by 11:30 a.m. Thank you for your consideration.

Respectfully submitted,

KAUFMAN BORGEESE &amp; RYAN LLP

Jonathan B. Bruno

cc: Michael H. Bernstein, Esq. (via e-mail)  
Richard Pu, Esq. (via e-mail)

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